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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 EMANUEL FINCH,,
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10 Plaintiff,
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12 v.
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14 K. RICHARD WHITEHEAD, et al,
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16 Defendant.
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CASE NO. 3:19-cv-5675 RBL-JRC

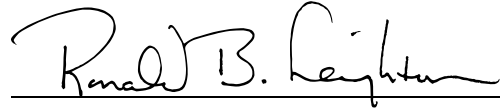
**ORDER ADOPTING REPORT
AND RECOMMENDATION**

18 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
19 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
20 record, does hereby find and ORDER:
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- 22 (1) The Court adopts the Report and Recommendation.
23 (2) Defendants K. Richard Whitehead, and Department of Assigned Counsel's
24 Motion to Dismiss (Dkt. 6) is granted, and Plaintiff's claims against these
defendants are dismissed with prejudice. Plaintiff's motions for Scheduling Order
(Dkt. 8), to Remand/Remove case back to Pierce County Superior Court (Dkt.
13), to Challenge the Sufficiency of the Pleading Under FRCP 12(b)(6) (Dkt. 19),
Application for Writ of Mandamus (Dkt. 22) are denied as moot.

1 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
2 Defendants, and to the Hon. J. Richard Creatura.

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4 **DATED** this 12th day of November, 2019

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6 Ronald B. Leighton
7 United States District Judge
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